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Ruth Montalvo
Date

Docket No.: GK-JEN-2074/500347.20059

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter Czerney et al
Serial No.: 09/700,072
Filed: November 10, 2000
For: LASER-COMPATIBLE NIR-MARKER DYES

SECOND PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Supplemental to the Preliminary Amendment filed simultaneously with the application
on November 10, 2000, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Page 5, line 6, change "~~PO₃₂~~" to --PO₃²⁻--.

IN THE CLAIMS

Please substitute claims 11, 12 and 13 previously submitted in the Preliminary

Amendment dated November 10, 2000 as follows:

--11. Laser-compatible NIR marker dyes according to claim 1, wherein they are used for optical labeling of proteins, nucleic acids, oligomers, DNA, RNA, biological cells, lipids, polymers, drugs or polymer particles.

12. A method for qualitative or quantitative determination of proteins, nucleic acids, oligomers, DNA, RNA, biological cells, lips, polymers, drugs or polymer particles, comprising the step of providing functional groups of the laser-compatible NIR marker dyes which are covalently linked to an OH-, NH₂- or SH-function of the substances to be determined.

13. The method according to claim 12, wherein the coupling reaction is carried out in aqueous solution.--

REMARKS

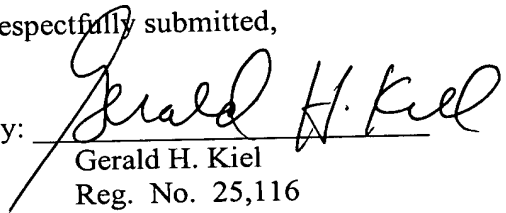
As a result of a Notice of Defective Translation dated January 4, 2001, filed concurrently herewith is a new certified English translation which now contains claims 1-10 as published (Publication No. WO 00/53678).

Based on the new translation, claims 11-13 have now been added by this amendment. Additionally, the specification has been amended to correct a minor error in the specification.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

By:


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February 2, 2001
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